

# **RULES OF GEORGIA STATE BOARD OF NURSING HOME ADMINISTRATORS**

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# CHAPTER 393-1

## ORGANIZATION

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All rules and regulations pertaining to the administration of the Board of Nursing Home Administrators shall be administered by the Professional Licensing Boards Division of the Office of Secretary of State. Cathy Cox, Secretary of State, has designated Mollie Fleeman as Division Director of the Professional Licensing Boards Division. The office of the Division Director is located at 237 Coliseum Drive, Macon, Georgia 31217.

#### **393-1-.01 Organization. Amended.**

The Georgia State Board of Nursing Home Administrators shall be composed of thirteen members, none of whom may be employees of the United States government or of the State of Georgia, and the Commissioner of Human Resources, or his/her designee, and the Commissioner of Medical Assistance, or his/her designee, who shall serve as ex-officio members of the Board. Thirteen members of the Board shall be appointed by the Governor with the approval of the Secretary of State, and confirmed by the Senate. Of these thirteen members, one shall be a licensed medical doctor, one shall be a registered nurse, one shall be an educator specializing in the field of gerontology, three shall be members of the public at large, one shall be a hospital administrator of a hospital located in this State, all of whom shall not be a nursing home administrator or pecuniarily interested in any nursing home, and the remaining six members shall be nursing home administrators licensed by this state.

Authority Ga. L. 1980, pp. 536, 537, 538; O.C.G.A. Sec. 43-27-2. **History.** Original Rule entitled "Organization of Board" was filed on December 31, 1969; effective January 19, 1970. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed December 22, 1970; effective January 11, 1971. **Amended:** Rule repealed and a new Rule entitled "Organization" adopted. Filed September 5, 1975; effective September 25, 1975. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed September 29, 1980; effective October 19, 1980. **Amended:** F. Sept. 9, 1994; eff. Sept. 29, 1994.

#### **393-1-.02 Quorum. Amended.**

Seven members of the Board shall constitute a quorum.

Authority Ga. L. 1968, pp. 1143, 1146, as amended. **History.** Original Rule entitled "Headquarters" was filed on December 31, 1969; effective January 19, 1970. **Amended:** Rule repealed and a new Rule entitled "Quorum" adopted. Filed September 5, 1975; effective September 25, 1975.

#### **393-1-.03 Chair and Vice-Chair. Amended.**

The Board shall elect annually from among its members a chair and vice-chair. The chair shall preside at all meetings of the Board, appoint committees and perform the usual

duties of his office. In the absence of the chair, the vice-chair shall preside at meetings and perform all duties usually performed by the chair.

Authority O.C.G.A. Secs. 43-1-25; 43-27-3. **History.** Original Rule entitled "Quorum" was filed on December 31, 1969; effective January 19, 1970. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed December 22, 1970; effective January 11, 1971. **Amended:** Rule repealed and a new Rule entitled "Chairman and Vice-Chairman" adopted. Filed September 5, 1975; effective September 25, 1975. **Amended:** Rule repealed and a new Rule entitled "Chair and Vice-Chair" adopted. Filed August 8, 1985; effective August 28, 1986.

### **393-1-.04 Meetings. Amended.**

The Board shall meet a minimum of four times a year. Additional meetings may be called by the chair.

Authority O.C.G.A. Secs. 43-1-25; 43-27-3. **History.** Original Rule entitled "Chairman and Vice-Chairman" was filed on December 31, 1969; effective January 19, 1970. **Amended:** Rule repealed and a new Rule entitled "Meetings" adopted. Filed September 5, 1975; effective September 25, 1975. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed August 8, 1986; effective August 28, 1986.

### **393-1-.05 Examination. Amended.**

The Board shall administer examinations a minimum of two times annually.

Authority Ga. L. 1968, pp. 1143, 1145, 1146, as amended. **History.** Original Rule entitled "Secretary" was filed on December 31, 1969; effective January 19, 1970. **Amended:** Rule repealed and a new Rule entitled "Examination" adopted. Filed September 5, 1975; effective September 25, 1975. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed April 11, 1988; effective May 1, 1988.

### **393-1-.06 Repealed.**

Authority Ga. L. 1968, pp. 1143, 1146, as amended. **History.** Original Rule entitled "Meetings" was filed on December 31, 1969; effective January 19, 1970. **Amended:** Rule repealed. Filed September 5, 1975; effective September 25, 1975.

# CHAPTER 393-2

## DEFINITIONS

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### **393-2-.01 Administrator. Amended.**

The term "Administrator" shall mean a person who has met all requirements of the Georgia State Board of Nursing Home Administrators and has been granted a license by the Board to operate, manage, supervise or be in charge of a nursing home.

Authority Ga. L. 1968, pp. 1143, 1146, as amended. **History.** Original Rule was filed on December 31, 1969; effective January 19, 1970. **Amended:** Original Rule entitled "Examination" repealed and a new Rule entitled "Administrator" adopted. Filed September 5, 1975; effective September 25, 1975. **Amended:** F. Sept. 25, 1995; eff. Oct. 15, 1995. **Amended:** F. Dec. 29, 1995; eff. Jan. 18, 1996.

### **393-2-.02 Administrator of Record.**

The term "Administrator of Record" shall mean a person with a current Georgia Nursing Home Administrators license who is designated by the governing body of a nursing home to serve as its administrator.

Authority Ga. L. 1968, pp. 1143, 1146, as amended. **History.** Original Rule was filed on December 31, 1969; effective January 19, 1970. **Amended:** Filed December 22, 1970; effective January 11, 1971. **Amended:** Original Rule entitled "Pre-Examination Requirements" repealed and a new Rule entitled "Governing Body" adopted. Filed September 5, 1975; effective September 25, 1975. **Repealed:** New Rule entitled "Administrator of Record" adopted. F. Sept. 25, 1995; eff. Oct. 15, 1995. **Amended:** F. Dec. 29, 1995; eff. Jan. 18, 1996.

### **393-2-.03 Governing Body. Amended.**

The term "Governing Body" shall mean the board of trustees, the partnership, the corporation, the association, the person, or group of persons, who maintains and controls the home and which is legally responsible for its operation.

Authority Ga. L. 1968, pp. 1143, 1146, as amended. **History.** Original Rule was filed on December 31, 1969; effective January 19, 1970. **Amended:** Filed December 22, 1970; effective January 11, 1971. **Amended:** Original Rule entitled "Application for Examination" repealed and a new Rule entitled "Board" adopted. Filed September 5, 1975; effective September 25, 1975. **Amended:** Rule entitled "Governing Body" renumbered from 393-2-.02 to .03. F. Dec. 29, 1995; eff. Jan. 18, 1996.

### **393-2-.04 Board. Amended.**

The term "Board" shall mean the Georgia State Board of Nursing Home Administrators. Authority O.C.G.A. Secs. 43-1-25; 43-27-1. **History.** Original Rule entitled "Conditional Admission to Examination: Disqualification: Re-examination" was filed on December 31, 1969; effective January 19, 1970. **Amended:** Rule repealed. Filed September 5, 1975; effective September 25, 1975. **Amended:** Rule entitled "Health Related Experience" adopted. Filed January 30, 1987; effective February 19, 1987.

**Repealed:** F. Sept. 25, 1995; eff. Oct. 15, 1995. **Amended:** Rule entitled "Board" renumbered from 393-2-.03 to .04. F. Dec. 29, 1995; eff. Jan. 18, 1996.

### **393-2-.05 Repealed.**

Authority Ga. L. 1968, p. 1143, et seq. **History.** Original Rule entitled "Variable Factors" was filed on December 31, 1969; effective January 19, 1970. **Amended:** Rule repealed. Filed September 5, 1975; effective September 25, 1975.

### **393-2-.06 Repealed.**

Authority Ga. L. 1968, p. 1143, et seq. **History.** Original Rule entitled "Practical Training and Experience" was filed on December 31, 1969 effective January 19, 1970. **Amended:** Rule repealed. Filed September 5, 1975, effective September 25, 1975.

### **393-2-.07 Repealed.**

Authority Ga. L. 1968, p. 1143, et seq. **History.** Original Rule entitled "Reciprocity" was filed on December 31, 1969; effective January 19, 1970. **Amended:** Rule repealed. Filed September 5, 1975; effective September 25, 1975.

### **393-2-.08 Repealed.**

Authority Ga. L. 1968, p. 1143, et seq. **History.** Original Rule entitled "Registration of Licenses" was filed on December 31, 1969; effective January 19, 1970. **Amended:** Rule repealed. Filed September 5, 1975; effective September 25, 1975.

### **393-3-.04 Examination.**

(1) An applicant must take and pass a Board approved national examination.

(2) An applicant who fails the licensing examination and wishes to retake the examination within three years of his or her initial application must submit a reexamination application and fee as set by the Board a minimum of 45 days prior to the examination. The application must be obtained from the Board office.

(3) An applicant who does not pass the examination within said three year period shall be required to re-establish eligibility as a duly qualified applicant meeting the current standards and criteria established by the Board.

Authority O.C.G.A. Secs. 43-1-2, 43-1-19, 43-1-25, 43-27-3, 43-27-5 to 43-27-7. **History.** Original Rule entitled "Examination" adopted. F. Feb. 26, 1993; eff. Mar. 18, 1993. **Amended:** F. Mar. 9, 1994; eff. Mar. 29, 1994. **Amended:** F. Sept. 25, 1995; eff. Oct. 15, 1995. **Amended:** F. June 10, 2002; eff. June 30, 2002.

# CHAPTER 393-3

## QUALIFICATIONS FOR LICENSURE

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#### **393-3-.01 Americans With Disabilities Act.**

The Board will provide reasonable accommodation to a qualified applicant with a disability in accordance with the Americans With Disabilities Act. The request for an accommodation by an individual with a disability must be made in writing and received in the Board Office by the application deadline along with appropriate documentation, as indicated in the Request for Disability Accommodation Guidelines.

Authority O.C.G.A. Secs. 43-1-2, 43-1-19(a)(2), 43-27-6(4). **History.** Original Rule entitled "Refusal, Suspension, and Revocation of Licenses" was filed on December 31, 1969; effective January 19, 1970. **Amended:** Filed December 22, 1970; effective January 11, 1971. **Amended:** Rule repealed and a new Rule entitled "Pre-Examination Requirements" adopted. Filed September 5, 1975; effective September 25, 1975. **Amended:** Filed January 17, 1979; effective February 6, 1979. **Amended:** Filed October 18, 1979; effective November 7, 1979. **Amended:** Filed September 29, 1980; effective October 19, 1980. **Amended:** Rule repealed and a new Rule of same title adopted. Filed December 18, 1986; effective January 7, 1987. **Amended:** F. Jul. 30, 1992; eff. Aug. 19, 1992. **Repealed:** New Rule entitled "Americans With Disabilities Act" adopted. F. Feb. 26, 1993; eff. Mar. 18, 1993.

#### **393-3-.02 Pre-Examination Requirements. Amended.**

A person who seeks licensure by examination as a nursing home administrator must show the following:

- (a) be at least 21 years of age;
- (b) be of reputable and responsible character; and
- (c) meet one of the following education and experience requirements:
  - 1. Have earned a baccalaureate or higher degree in nursing home administration, in health care administration, in business administration or in a related health care administration field from an accredited institution of higher learning. If the degree did not include an Administrator-In-Training (AIT) program as provided in Chapter 393-4, the applicant must either have completed an AIT program as provided in Chapter 393-4, or the applicant must have attained one year of employment working in one of the following:
    - (i) licensed nursing facility; or

(ii) home office of a business or corporation that operates licensed nursing facilities in an administrative capacity, or in a capacity delivering direct care to residents including, but not limited to, nurses, social workers, quality assurance staff; or

(iii) a management position in a hospital.

2. Have earned any baccalaureate degree from an accredited institution of higher learning and have completed an AIT program as provided in Chapter 393-4; or earned a baccalaureate degree from an institution of higher learning and have attained two years of employment working in one of the following:

(i) a licensed nursing facility; or

(ii) home office of a business or corporation that operates licensed nursing facilities, in an administrative capacity, or in a capacity delivering direct care to residents, including but not limited to, nurses, social workers, quality assurance staff; or

(iii) a management Position in a hospital.

3. With less than a baccalaureate degree, the applicant must have either:

(i) 3 years of college plus 2 years of full time work experience; or

(ii) 2 years of college plus 4 years of full time work experience; or

(iii) 1 year of college plus 6 years of full time work experience; or

(iv) a high school diploma or GED certificate plus 8 years of full time work experience; provided that:

(I) one year of college means 45 quarter hours, or 24 semester hours of course work at an accredited institution of higher learning; and,

(II) full time work experience means a minimum of 35 hours per week in one of the following:

I. a licensed nursing facility; or

II. a home office of a business or corporation that operates licensed nursing facilities in an administrative capacity, or in a capacity delivering direct care to residents, such as, but not limited to nurses, social workers, quality assurance staff; or

III. a management position in a hospital.

Authority O.C.G.A. Secs. 43-1-19; 43-1-19(a)(2); 43-1-25; 43-27-6; 43-27-6. **History.** Original Rule entitled "Application for Examination" was filed on September 25, 1975; effective September 25, 1975.

**Amended:** Filed January 17, 1979; effective February 6, 1979. **Amended:** Filed January 19, 1984;

effective February 8, 1984. **Amended:** Filed December 18, 1986; effective January 7, 1987. **Amended:** Filed November 2, 1987; effective November 2, 1987. **Repealed:** New Rule entitled "Application Process" adopted. F. Feb. 12, 1991; eff. Mar. 4, 1991. **Amended:** Rule entitled "Pre-Examination Requirements" renumbered from 393-3-.01 F. Feb. 26, 1993; eff. Mar. 18, 1993. **Amended:** F. Jan. 9, 1997; eff. Jan. 29, 1997.

### **393-3-.03 Application Process.**

- (1) A person who seeks licensure as a Nursing Home Administrator shall submit to the Board an application for examination which will be furnished upon request.
- (2) A candidate for examination shall submit with the application the following:
  - (a) an application fee (See Fee Schedule);
  - (b) high school diploma, GED or copy of request to college/university to send official transcript to the Board;
  - (c) notarized affidavits of experience, as set forth in Rule 393-3- .02;
  - (d) notarized affidavit of Applicant certifying review and understanding of Georgia Laws and Rules as related to nursing homes.
- (3) The application and supporting documents must be received by the Board no later than 45 days prior to a scheduled Board meeting.
- (4) Applicants will be notified, in writing, of the Board's approval or disapproval of their application.
- (5) If an applicant is disapproved, any consideration for subsequent examination will require the submission of a new application, new documents and fee. The requirements which are in effect at the time of such reapplication must be sent.

Authority O.C.G.A. Secs. 43-1-2, 43-1-19, 43-1-25, 43-27-3, 43-27-5 to 43-27-7. **History.** Original Rule entitled "Examination" adopted. F. Sept. 5, 1975; eff. Sept. 25, 1975. **Amended:** F. Jan. 19, 1984; eff. Feb. 8, 1984. **Amended:** F. Dec. 18, 1986; eff. Jan. 7, 1987. **Repealed:** New Rule of same title adopted. F. Feb. 12, 1991; eff. Mar. 4, 1991. **Repealed:** New Rule entitled "Application Process" adopted. F. Feb. 26, 1993; eff. Mar. 18, 1993. **Amended:** F. Mar. 9, 1994; eff. Mar. 29, 1994. **Amended:** F. June 10, 1994; eff. June 30, 1994. **Amended:** F. June 10, 2002; eff. June 30, 2002. **Amended:** F. Dec. 18, 2002; eff. Jan. 7, 2003.

### **393-3-.04 Examination.**

- (1) An applicant must take and pass a Board approved national examination.
- (2) An applicant must complete all requirements for licensure within one year of the date of approval of the application.
- (3) If the applicant fails to complete the application process including passing of the national exam, within that year's timeframe, the applicant must submit a new application, current documentation and fee.



Authority O.C.G.A. Secs. 43-1-2, 43-1-19, 43-1-25, 43-27-3, 43-27-5 to 43-27-7. **History.** Original Rule entitled “Examination” adopted. F. Feb. 26, 1993; eff. Mar. 18, 1993. **Amended:** F. Mar. 9, 1994; eff. Mar. 29, 1994. **Amended:** F. Sept. 25, 1995; eff. Oct. 15, 1995. **Amended:** F. June 10, 2002; eff. June 30, 2002. **Repealed:** New Rule of same title adopted. F. June 8, 2007; eff. June 28, 2007.

# **CHAPTER 393-4**

## **ADMINISTRATOR-IN-TRAINING**

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393-4-.06 through 393-4-.10 Repealed.

#### **393-4-.01 Definitions. Amended.**

(1) ADMINISTRATOR-IN-TRAINING (AIT) is an:

(a) individual who is enrolled in an AIT Program at an APPROVED NURSING HOME,  
or

(b) individual who is enrolled in an INTERNSHIP COURSE in an APPROVED  
HEALTH CARE EDUCATIONAL PROGRAM.

(2) AIT APPLICATION FOR REGISTRATION: A form that an individual who seeks to  
enroll in an AIT Program submits to the Board.

(3) AIT PROGRAM: A program at an APPROVED NURSING HOME.

(4) APPLICATION FOR APPROVED AIT SITE: A form that a nursing home  
administrator submits to the BOARD prior to a nursing home becoming approved to  
conduct an AIT PROGRAM.

(5) APPROVED HEALTH CARE EDUCATIONAL PROGRAM: A Board-approved  
baccalaureate or master's degree program in nursing home administration, health care  
administration or in a related health administration field at a regionally accredited college  
or university.

(6) APPROVED NURSING HOME: A nursing home that is approved by the BOARD to  
offer an AIT PROGRAM.

(7) BOARD: Georgia State Board of Nursing Home Administrators.

(8) DHR: Department of Human Resources.

(9) DMA: Department of Medical Assistance.

(10) INDIVIDUALIZED SCHEDULE: An outline of the amount of time that an AIT will  
spend in each aspect of the nursing home.

(11) INTERNSHIP COURSE: A course in an APPROVED HEALTH CARE  
EDUCATIONAL PROGRAM.

(12) MONTHLY REPORT: A signed and notarized form submitted by the preceptor to  
the BOARD each month certifying the time spent and the activities engaged in by the  
trainee.

(13) PRECEPTOR: A nursing home administrator who is approved by the BOARD to  
conduct an AIT PROGRAM.

(14) GERONTOLOGY AND SPECIAL POPULATIONS:

(a) Gerontology: The study of the aging process in humans which is most often divided into biologic, sociologic and psychologic aspects.

(b) Special Population: A group of people living in close proximity and having some dependency on each other. Special populations are circumspect communities of people where specific activities of daily living are carried on and where supports are provided (example: the residents of nursing homes).

Authority Ga. L. 1968, pp. 1143, 1146, as amended; O.C.G.A. Secs. 43-1-25, 43-27-6. **History.** Original Rule was filed on December 31, 1969; effective January 19, 1970. **Amended:** Original Rule entitled "Restoration" repealed and a new Rule entitled "Preface" adopted. Filed September 5, 1975; effective September 25, 1975. **Repealed:** New Rule entitled "Definitions" adopted. F. Feb. 12, 1991; eff. Mar. 4, 1991. **Amended:** F. Jan. 9, 1997; eff. Jan. 29, 1997. **Amended:** F. Jan. 9, 1997; eff. Jan. 29, 1997. **Amended:** F. Jun. 11, 1998; eff. Jul. 1, 1998.

### **393-4-.02 AIT Program at an Approved Nursing Home.**

(1) Nursing Home.

(a) In order to be the site of an AIT program, the nursing home must have a minimum of 75 beds.

(b) The Board may limit the number of AIT's the nursing home trains at one time as follows:

1. a nursing home with 75 to 100 beds may be approved for a maximum of one intern;
2. a nursing home with 101 to 150 beds may be approved for a maximum of two interns;
3. a nursing home with 151 or more beds may be approved for a maximum of three interns;
4. notwithstanding the above, in exceptional cases the Board may approve a nursing home to have additional interns.

(c) In order to be an Approved Nursing Home, the facility must have received acceptable reviews by DHR and DMA during its two most recent surveys.

(d) The administrator of a nursing home must submit:

1. an Application for Approved AIT Site;
2. an application fee (See Fee Schedule);
3. the two most recent DHR Reports of Licensure Inspections and Statements of Deficiencies and Plan of Correction;

(e) A nursing home which otherwise qualifies for approval, but is deficient in one or more of the above listed criteria, may seek approval based upon the establishment of affiliations with other nursing homes.

(f) The approval of a nursing home as an AIT site shall be valid for five consecutive years, unless withdrawn by the Board for reasons stated in these rules including Chapters 393-4 and 393-6. Re-approval will be considered upon receipt of a new application, fee and forms as provided in this rule. Approval as an AIT site shall not preclude the requirement for an Individualized Schedule based on the needs of the AIT each time the facility accepts an AIT.

(g) The Board may withdraw approval of an AIT site based upon changes in the nursing home surveys, preceptor or for reasons stated in these rules including Chapters 393-4 and 393-6.

(2) Preceptor.

(a) The preceptor is solely responsible for ensuring that the AIT complies with the Rules and Regulations of the Board, and must attest to such compliance upon completion of the AIT program.

(b) The preceptor must ensure that the AIT is not over-burdened with routine responsibilities that may be detrimental to his or her training, and must ensure that the intern is afforded a broad and comprehensive experience.

(c) A nursing home administrator who seeks approval as a preceptor must:

1. be currently licensed in Georgia as a nursing home administrator;
2. be employed by and be working full-time at the nursing home;
3. have been employed as a licensed nursing home administrator for a minimum of five years; and
4. submit an Application for Approved Preceptor and fee (See Fee Schedule) prior to initiating an AIT program.

(d) Approval of a nursing home administrator as a preceptor shall be valid for five consecutive years unless withdrawn by the Board for reasons stated in these rules. Re-approval will be considered upon the Board's receipt of an Application for Approved Preceptor and fee.

(e) The Board may withdraw approval of a preceptor based upon changes in the nursing home surveys, preceptor or for reasons stated in these rules including Chapters 393-4 and 393-6.

(f) A nursing home administrator who becomes unable to continue to serve as a preceptor, must notify the Board of same by registered mail no later than five days after their last date of service as a preceptor.

### (3) AIT Applicant.

(a) An individual who seeks approval as an AIT must:

1. be 18 years of age or older;
2. be of good moral character; and
3. have been awarded a bachelor's degree; or be a bachelor's degree candidate and have completed all the requirements, with the exception of a bachelor's degree internship requirement when applicable, for the degree from a regionally accredited educational institution.

4. An individual who seeks approval as an AIT shall submit an AIT Application for Registration which may be obtained from the Board. Upon approval of that Application, the Board shall notify the AIT and preceptor of the date of the AIT's registration which shall correspond with the proposed date for the beginning of the AIT program as submitted by the preceptor.

### (4) AIT Program.

(a) An AIT program is approved for a specific nursing home and is under the supervision of an approved preceptor.

(b) An AIT program occurs during six consecutive months. Approval for breaks in the six month consecutive period will be at the discretion of the Board.

(c) The typical AIT training week shall consist of 40 hours.

(d) Upon the approved nursing home's decision to accept an individual into an approved AIT program, the preceptor shall notify the Board (by registered mail, return receipt requested) of the proposed AIT and of the date for the beginning of the program which shall be no sooner than 15 days from the date the letter is received by the Board. The notice shall include an Individualized Schedule for the proposed AIT.

(e) A sample Individualized Schedule is available from the Board. However, schedules will vary based on the background and experience of the AIT. The Schedule shall include, at a minimum, the following:

1. allotted time for various functions of the nursing home facility (e.g. nursing, dietary, housekeeping, business office, management and supervisory techniques etc.);
2. allotted time for participation in professional meetings and staff meetings;
3. a required reading list; and
4. ten hours of continuing educational activities. See Chapter 393-12 entitled "Continuing Education".

(f) The Board shall advise the preceptor and AIT whether the AIT has been approved to serve in the program, and, if approved, of its starting date.

(g) The AIT shall maintain weekly records of their training and shall submit six Monthly Reports to the Board. These reports shall follow the Individualized Schedule and shall describe activities of the previous month. Notarized reports shall be signed by the preceptor and AIT and must be received in the Board Office prior to the third Monday of the month following the end of the report period.

(h) The Board may request the AIT and/or the preceptor to meet with the AIT Committee to discuss the intern's progress.

(i) If the preceptor is no longer able to supervise the AIT, the AIT may petition the Board's AIT Committee for the appointment of an interim preceptor pending the approval of a new preceptor by the full Board. The Board, at its discretion, may continue its approval of the AIT program, if the AIT within five days notifies the Board of any change in circumstances, including but not limited to illness of the preceptor. An AIT who fails to make such a petition may not receive credit for the period already served.

(j) An individual shall receive no credit for time served in an unapproved AIT program; for time served under the supervision of a nursing home administrator who has not been approved as a preceptor; or for time served prior to the Board's approval of the AIT's Application for Registration.

(k) An AIT may apply to take the state and national examinations prior to completion of the AIT program. However, the NHA license will not be issued until the AIT program is completed satisfactorily.

Authority Ga. L. 1968, pp. 1143, 1146, as amended; O.C.G.A. Secs. 43-1-25; 43-27-5; 43-27-6. **History.** Original Rule was filed on September 5, 1975; effective September 25, 1975. **Repealed:** New Rule entitled "AIT Program at an Approved Nursing Home" adopted. F. Feb. 12, 1991; eff. Mar. 4, 1991. **Amended:** F. Mar. 9, 1994; eff. Mar. 29, 1994. **Amended:** F. Jun. 10, 1994; eff. Jun. 30, 1994.

### **393-4-.03 AIT in an Internship Course in an Approved Health Care Educational Program.**

(1) The Board may approve a health care educational program based upon its review of curriculum, faculty, accreditation status or any other criteria it deems to be relevant.

(2) The Board reserves the right to request qualifying information, i.e. information contained in the Application for Approved AIT Site from the facility where the internship is in progress.

(3) An individual who is enrolled in an internship course in an approved health care educational program shall be eligible to apply for a nursing home administrator license subject to the conditions of Rule 393-4-.02(4)(k) above.

Authority O.C.G.A. Secs. 43-1-5; 43-27-5; 43-1-25; 43-27-6. **History.** Original Rule entitled "Definitions" was filed on September 5, 1975; effective September 25, 1975. **Amended:** Filed August 8, 1986; effective August 28, 1986. **Repealed:** New Rule entitled "AIT in an Internship Course in an Approved Health Care Educational Program" adopted. F. Feb. 12, 1991; eff. Mar. 4, 1991.

#### **393-4-.04 Master's Degree AIT Exception.**

(1) The requirement for AIT Internship shall not apply to any person who has completed a course of study for a Master's Degree in nursing home administration, health care administration or in a related health administration field and who has been awarded such degree from an accredited institution of higher learning which has an internship program.

(2) Notwithstanding the above, the Board reserves the right to determine whether the master's degree program meets the requirements of this paragraph. Furthermore the Board reserves the right to request qualifying information (i.e. information contained in the Application for Approved AIT Site) from the facility where the internship took place.

Authority Ga. L. 1968, pp. 1143, 1146, as amended; O.C.G.A. Secs. 43-1-25; 43-27-6. **History.** Original Rule entitled "Nursing Home Eligible for Board Approval" was filed on September 5, 1975; effective September 25, 1975. **Repealed:** New Rule entitled "Master's Degree AIT Exception" adopted. F. Feb. 12, 1991; eff. Mar. 4, 1991.

#### **393-4-.05 AIT Program at Multiple Sites.**

The preceptor must identify individual facilities to be used in training as part of the individualized plan. Training for a specific area may not be conducted at a site if the department that is subject of the training has had a sanction in any of the two previous years. No facility may be used as a training site if it has received a sanction in a patient care department in any of the two previous years. This requirement may be met by the certification of the preceptor on the individual trainee's schedule or monthly report. Any false certification would be considered a false statement or the making of a false report and would subject the preceptor to further discipline and action against their license by the Board. Training shall take place only in nursing homes.

Authority O.C.G.A. Secs. 43-1-25; 43-27-6. 31-7-2.1. **History.** Original Rule entitled "Preceptors Eligible for Approval" was filed on September 5, 1975; effective September 25, 1975. **Amended:** Filed December 18, 1986; effective January 7, 1987. **Repealed:** F. Feb. 12, 1991; eff. Mar. 4, 1991. **Amended:** New Rule entitled "AIT Program at Multiple Sites" adopted. F. Jun. 11, 1998; eff. Jul. 1, 1998.

#### **393-4-.06 Repealed.**

Authority Ga. L. 1968, pp. 1143, 1146, as amended. **History.** Original Rule entitled "Nursing Home Staff" was filed on September 5, 1975; effective September 25, 1975. **Repealed:** F. Feb. 12, 1991; eff. Mar. 4, 1991.

#### **393-4-.07 Repealed.**

Authority Ga. L. 1968, pp. 1143, 1146, as amended (Ga. Code Ann., Sec. 84-4908). Original Rule entitled "Internship Program" was filed on September 5, 1975; effective September 25, 1975. **Amended:** Filed January 17, 1979; effective February 6, 1979. **Amended:** Filed January 21, 1982; effective February 10, 1982. **Repealed:** F. Feb. 12, 1991; eff. Mar. 4, 1991.

#### **393-4-.08 Repealed.**

Authority Ga. L. 1968, pp. 1143, 1146, as amended. **History.** Original Rule entitled "Organization and Conduct of the Internship Program" was filed on September 5, 1975; effective September 25, 1975. **Repealed:** F. Feb. 12, 1991; eff. Mar. 4, 1991.

#### **393-4-.09 Repealed.**

Authority Ga. L. 1968, pp. 1143, 1146, as amended. **History.** Original Rule entitled "Selection of Interns" was filed on September 5, 1975; effective September 25, 1975. **Repealed:** F. Feb. 12, 1991; eff. Mar. 4, 1991.

### **393-4-.10 Repealed.**

Authority O.C.C.A. 43-1-25; 43-27-6, 31-7-2.1. **History.** Original Rule entitled "Miscellaneous" was filed on September 5, 1975; effective September 25, 1975. **Amended:** Filed December 18, 1986; effective January 7, 1987. **Repealed:** F. Feb. 12, 1991; eff. Mar. 4, 1991.

# CHAPTER 393-5

## APPLICATION PROCESS

### TABLE OF CONTENTS

#### **393-5-.01 Renewal of License**

#### **393-5-.02 Licensure Display**

#### **393-5-.03 Repealed**

#### **393-5-.01 Renewal of License.**

(1) Each nursing home administrator license shall expire on December 31st of odd-numbered years.

(2) A Nursing Home Administrator, with an expired license, may not serve as the administrator of record of a nursing home. (See the Rules of the Georgia State Board of Nursing Home Administrators, Chapter [393-2](#).)

(3) Renewal is the responsibility of the licensee. A license may be renewed by submitting a completed biennial application for renewal along with appropriate fees. The application will require that the applicant attest that all requirements for renewal, including continuing education requirements, are met. (See the Rules of the Georgia State Board of Nursing Home Administrators, Chapter [393-13](#).)

(4) An expired license may be reinstated between January 1st and June 30th following the expiration date by submission of a completed reinstatement application with payment of a 50% penalty fee and documentation of having completed the continuing education requirements prior to the date on which the reinstatement application is submitted. Hours earned after January 1, (after expiration date of license) and used by the applicant to satisfy requirements for reinstatement, may not be used to meet requirements at the next biennial renewal.

(5) Failure to reinstate a license prior to July 1st following the license expiration date shall have the same effect as a revocation of that license, unless a license has been placed on inactive status. (See the Rules of the Georgia State Board of Nursing Home Administrators, Chapter [393-12](#)).

(6) An administrator who has a current license may place it on inactive status on or before December 31, of an odd-numbered year. (See the Rules of the Georgia State Board of Nursing Home Administrators, Chapter [393-12](#)).

(7) If a license is revoked for non-renewal, an administrator may apply for reinstatement of a license. The applicant must meet the requirements for reinstatement as set out in 393-5-.02. In addition, the Board may impose such other conditions for reinstatement as it deems appropriate.

Authority O.C.G.A. Secs. 43-1-19, 43-1-25, 43-27-4, 43-27-5, 43-27-6, 43-27-8. **History.** Original Rule entitled "Licenses and Registration Certificates" was filed on December 31, 1969; effective January 19,



1970. **Amended:** Rule repealed and a new Rule entitled "Renewal of License" adopted. Filed September 5, 1975; effective September 25, 1975. **Amended:** Filed January 17, 1979; effective February 6, 1979. **Amended:** Filed January 19, 1984; effective February 8, 1984. **Amended:** Filed October 23, 1985; effective November 12, 1985. **Amended:** Filed February 25, 1986; effective March 17, 1986. **Amended:** Filed December 18, 1986; effective January 7, 1987. **Amended:** Filed July 28, 1987; effective August 17, 1987. **Amended:** F. May 5, 1989; eff. May 25, 1989. **Repealed:** New Rule, same title, adopted. F. Feb. 12, 1991; eff. Mar. 4, 1991. **Amended:** F. Dec. 6, 1994; eff. Dec. 26, 1994. **Amended:** F. Sept. 25, 1995; eff. Oct. 15, 1995. **Repealed:** New Rule of same title adopted. F. Jan. 2, 2004; eff. Jan. 22, 2004.

### **393-5-.02 Licensure by Reinstatement.**

(1) A person who seeks to reinstate a previously held license as a nursing home administrator is required to submit the following:

(a) Application for reinstatement;

(b) Appropriate fee — refer to fee schedule. Fee must accompany application. Application fees are non-refundable;

(c) Completed Affidavit of Application form;

(d) If applicable, verification of current licensure in another state(s). [Form supplied by the Board office — completed by licensing authority in each state in which applicant is currently licensed];

(e) Evidence of continuing education — refer to Rule 393-13-.01, .02, .03, .04;

1. If license has been lapsed less than two years, submit documentation of forty hours of continuing education obtained since the last active renewal cycle;

2. If license has been lapsed two or more years, but less than five, submit documentation of twenty hours of approved continuing education for each lapsed year;

3. If license has been lapsed five or more years, submit documentation of one hundred hours of approved continuing education obtained since the last active renewal cycle;

(f) Documentation of experience of at least 4100 hours as a licensed nursing home administrator obtained within the five years immediately preceding request for reinstatement. [Form supplied by the Board office — signed and notarized from owner and/or administrator of facility where required nursing home experience was obtained, or employer or supervisor in the chain of command from the home office of a business or corporation which operates licensed nursing facilities, or from a hospital where the applicant holds a management position];

(g) Applicants unable to document 4100 hours of experience as a licensed nursing home administrator within the five years immediately preceding request for reinstatement and who are not currently licensed as a nursing home administrator in another state are

**required to retake and pass the national examination** and submit evidence of passing scores to the Board.

(2) The application and supporting documents must be received a minimum of 45 days prior to a scheduled Board meeting for review by the Board.

(3) Applicants will be notified in writing of the Board's approval or disapproval of the reinstatement application. If an applicant is disapproved, any consideration for subsequent Board review will require submission of a new application, new documents and fee. The requirements which are in effect at the time of such reapplication for reinstatement must be met.

Authority O.C.G.A. Secs. 43-1-1, 43-1-25, 43-27-5. **History.** Original Rule entitled "Delinquent Licenses" adopted. F. Sept. 5, 1975; eff. Sept. 25, 1975. **Repealed:** New Rule entitled "Inactive Status of License" adopted. F. Feb. 25, 1986; eff. Mar. 17, 1986. **Repealed:** New Rule entitled "Licensure Display" adopted. F. Nov. 2, 1987; eff. Nov. 22, 1987. **Repealed:** New Rule of same title adopted. F. Feb. 12, 1991; eff. Mar. 4, 1991. **Repealed:** F. Jan. 9, 1997; eff. Jan. 29, 1997. **Amended:** New Rule entitled "Licensure by Reinstatement" adopted. F. Mar. 19, 2003; eff. Apr. 8, 2003.

### **393-5-.03 Repealed.**

Authority O.C.G.A. Sec. 43-27-5. **History.** Original Rule entitled "Licensure Display" adopted. F. Feb. 25, 1986; eff. Mar. 17, 1986. **Repealed:** F. Nov. 2, 1987; eff. Nov. 22, 1987.

# CHAPTER 393-6 Amended

## DISCIPLINARY ACTION

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#### **393-6-.01 Grounds for Disciplinary Action. Amended**

#### **393-6-.02 Disciplinary Actions**

#### **393-6-.01 Grounds for Disciplinary Action. Amended.**

After notice and a hearing in accordance with the Georgia Administrative Procedure Act, as amended, the Board may discipline a nursing home administrator upon evidence that the administrator

- (a) has violated any of the provisions of the law pertaining to the licensing of nursing home administrators or the rules and regulations of the Board pertaining thereto;
- (b) has been convicted of a crime involving moral turpitude;
- (c) has practiced fraud, deceit, or misrepresentation in securing or procuring a nursing home administrator license;
- (d) is incompetent to engage in the practice of nursing home administration or to act as a nursing home administrator;
- (e) has practiced, fraud, deceit or misrepresentation in his capacity as a nursing home administrator;
- (f) has committed acts of misconduct in the operation of a nursing home under his jurisdiction;
- (g) is an habitual drunkard;
- (h) is addicted to or dependent upon the use of morphine, opium, cocaine, or similar drugs;
- (i) has practiced without biennial registration;
- (j) has wrongfully transferred or surrendered possession, either temporarily or permanently, his license or certificate to any other person;
- (k) has paid, given, has caused to be paid or given or offered to pay or to give to any person a commission or other valuable consideration for the solicitation or procurement, either directly or indirectly, of nursing home patronage;
- (l) has been guilty of fraudulent, misleading or deceptive advertising;
- (m) has falsely impersonated another licensee;
- (n) has failed to exercise a professional regard for the safety, health and life of the patient;
- (o) has willfully permitted unauthorized disclosure of information relating to a patient or his records; or
- (p) has discriminated in respect to patients, employers, or staff on account of race, religion, color, national origin or sex.

Authority Ga. L. 1968, pp. 1143, 1146, as amended. **Administrative History.** Original Rule was filed on December 31, 1969; effective January 19, 1970. **Amended:** Original Rule entitled "Evidence" repealed and a new Rule entitled "Grounds for Disciplinary Action" adopted. Filed September 5, 1975; effective September 25, 1975.

#### **393-6-.02 Disciplinary Actions.**

(1) When the Board finds that any nursing home administrator should be disciplined in accordance with these rules and regulations, the Board may take any one or more of the following actions:

- (a) administer a public or private reprimand, but a private reprimand shall not be disclosed to any person except the administrator; or
- (b) suspend the administrator's license for a definite period; or
- (c) revoke the administrator's license; or
- (d) condition the penalty upon the administrator's submission to the care, counseling, or treatment of physicians or other professional persons, and the completion of such care, counseling, or treatment, as directed by the Board.

(2) In addition to and in conjunction with the foregoing actions, the Board may make a finding adverse to the administrator and impose judgment and penalty but suspend enforcement thereof and place the administrator on probation, which probation may be vacated upon noncompliance with such reasonable terms as the Board may impose.

Authority Ga. L. 1968, pp. 1143, 1146, as amended. **Administrative History.** Original Rule was filed on September 5, 1975; effective September 25, 1975.

# CHAPTER 393-7

## DISPLAY OF LICENSES

### TABLE OF CONTENTS

#### **393-7-.01 Display of Licenses**

#### **393-7-.01 Repealed.**

Authority Ga. L. 1968, pp. 1143, 1146, as amended. **History.** Original Rule entitled "Display of Licenses" was filed on September 5, 1975; effective September 25, 1975. **Repealed:** F. Jan. 9, 1997; eff. Jan. 29, 1997.

# **CHAPTER 393-8**

## **DUPLICATE LICENSE**

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#### **393-8-.01 Duplicate License Certificate**

#### **393-8-.01 Duplicate License Certificate.**

Upon receipt of satisfactory evidence that a license or certificate of registration has been lost, mutilated, or destroyed, the Board may issue a duplicate license or certificate.

Authority Ga. L. 1968, pp. 1143, 1146, as amended. **Administrative History.** Original Rule was filed on September 5, 1975; effective September 25, 1975.

# CHAPTER 393-9

## RECIPROCITY

### TABLE OF CONTENTS

#### **393-9-.01 Application by Reciprocity**

#### **393-9-.02 Repealed**

#### **393-9-.01 Application by Reciprocity.**

(1) An applicant for license by reciprocity shall make application on forms provided by the Board and shall submit with the application:

(a) An application fee as set by the Board.

(b) A Reciprocity Licensure Questionnaire Form from each State Board where applicant holds a current Nursing Home Administrator license. This form may be obtained from the Board office; and

(c) Evidence satisfactory to the Board that the applicant has proof of current certification by the American College of Health Care Administrators or the passing of the national test or its equivalent even if it was taken in another state.

(2) An applicant for licensure by reciprocity must sign an affidavit attesting that they have read and understand the Georgia State rules and law governing nursing homes and nursing home administrators.

Authority O.C.G.A. Secs. 43-1-2, 43-1-25, 43-27-3, 43-27-5, 43-27-7. **History.** Original Rule entitled “Application by Reciprocity” adopted. F. Sept. 5, 1975; eff. Sept. 25, 1975. **Amended:** F. Jan. 19, 1984; eff. Feb. 8, 1984. **Amended:** F. Dec. 18, 1986; eff. Jan. 7, 1987. **Repealed:** New Rule of same title adopted. F. Apr. 11, 1988; eff. May 1, 1988. **Amended:** F. Mar. 9, 1994; eff. Mar. 29, 1984. **Repealed:** New Rule of same title adopted. F. Jan. 9, 1997. eff. Jan. 29, 1997. **Amended:** F. June 10, 2002; eff. June 30, 2002.

#### **393-9-.02 Repealed.**

Authority O.C.G.A. Secs. 43-1-25, 43-27-3, 43-27-7. **History.** Original Rule entitled “Provisional License” adopted. F. Jan. 9, 1997; eff. Jan. 29, 1997. **Repealed:** F. June 10, 2002; eff. June 30, 2002.

# CHAPTER 393-10

## PROCEDURAL RULES

### TABLE OF CONTENTS

#### **393-10-.01 Procedural Rules**

#### **393-10-.01 Procedural Rules.**

The Georgia State Board of Nursing Home Administrators hereby adopts by reference as its permanent rules Chapters 295-3 through 295-13, and any future amendments thereto, Rules and Regulations of the Office of the Division Director, Professional Licensing Boards Division, relating to procedures for Hearings before the several Professional Licensing Boards.

Authority O.C.G.A. Secs. 43-1-25, 43-27-5. **History.** Original Rule entitled "Procedural Rules" adopted. F. Nov. 17, 1977; eff. Dec. 7, 1977. **Repealed:** New Rule of same title adopted. F. Aug. 23, 2001; eff. Sept. 12, 2001.



# CHAPTER 393-11

## FEES

### TABLE OF CONTENTS

#### **393-11-.01 Fees**

#### **393-11-.01 Fees.**

Refer to fee schedule for appropriate fees payable to the Board. Fees may be reviewed and changed at the discretion of the Board. Any request for refund must be submitted in writing. An indebtedness to the Board caused by a returned check will be dealt with in accordance with Code Section 16-9-20 of the Criminal Code of Georgia.

Authority O.C.G.A. 43-27-5. **Administrative History.** Original Rule entitled "Fees" was filed on February 15, 1986; effective March 17, 1986.

# CHAPTER 393-12

## CHANGE OF STATUS

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- 393-12-.01 Change of Name
- 393-12-.02 Change of Address
- 393-12-.03 Change of Employment
- 393-12-.04 Change from Active to Inactive
- 393-12-.05 Change from Inactive to Active

#### **393-12-.01 Change of Name.**

The licensee shall notify the Board office, in writing within 30 days, of a change in the licensee's name. The licensee shall submit a certified copy of the marriage certificate, court order, or other document of a legal name change, with the appropriate application and fee.

Authority O.C.G.A. Secs. 43-1-19, 43-1-25, 43-27-5, 43-27-6. **History.** Original Rule entitled "Change of Name" was filed on November 2, 1987; effective November 22, 1987. **Repealed:** New Rule, same title, adopted. F. Jul. 30, 1992; eff. Aug. 19, 1992.

#### **393-12-.02 Change of Address.**

The licensee shall notify the Board office, in writing within 30 days, of a change in the licensee's mailing address.

Authority O.C.G.A. Secs. 43-1-19, 43-1-25, 43-27-5, 43-27-6. **History.** Original Rule entitled "Change of Address" was filed on November 2, 1987; effective November 22, 1987. **Repealed:** New Rule same title, adopted. F. Jul. 30, 1992; eff. Aug. 19, 1992.

#### **393-12-.03 Change of Employment.**

The licensee shall notify the Board office, in writing within 30 days, of a change in the licensee's employment.

Authority O.C.G.A. Secs. 43-1-19, 43-1-25, 43-27-5, 43-27-6. **History.** Original Rule entitled "Change of Employment" was filed on November 2, 1987; effective November 22, 1987. **Repealed:** New Rule, same title, adopted. F. Jul. 30, 1992; eff. Aug. 19, 1992.

#### **393-12-.04 Change from Active to Inactive. Amended.**

The licensee who holds a current license and who is not practicing as a nursing home administrator may request the Board to place that license into an "inactive status" upon written application to the Board and payment of a non-refundable inactive status application fee. See fee schedule. The Board, in its sole discretion, may grant or deny the request for inactive status. Any licensee whose license is on inactive status may not engage in the practice of nursing home administration or serve as the administrator of record of a nursing home.

Authority O.C.G.A. Secs. 43-1-19, 43-1-25, 43-27-5, 43-27-6. **History.** Original Rule entitled "Change from Active to Inactive" was filed on November 2, 1987; effective November 22, 1987. **Amended:** F. Sept. 25, 1995; eff. Oct. 15, 1995. **Amended:** F. Jun. 19, 1996; eff. Jul. 9, 1996.

#### **393-12-.05 Change from Inactive to Active. Amended.**

In order to reactivate an inactive license, submit an Application to Reactivate and appropriate fee at least forty-five (45) days prior to the next regularly scheduled Board meeting; and

(a) If a license was inactive less than two years, submit documentation of forty hours of approved continuing education obtained since the last active renewal cycle.

(b) If a license was inactive two years or more, but less than five years, submit documentation of twenty hours of approved continuing education for each year of inactivity.

(c) If a license was inactive five years or more, submit documentation of one hundred hours of approved continuing education obtained since the last active renewal cycle or an administrator may reapply for licensure, meet current requirements and must retake and pass both the State and National examinations. In addition, the Board may impose such other conditions for reactivation, as it deems appropriate.

(d) The Board at its sole discretion reserves the right to investigate any or all requests for reactivation and to refuse to reactivate or to set conditions on the reactivation beyond those outlined above as the Board deems appropriate.

Authority O.C.G.A. Secs. 43-1-19, 43-1-25, 43-27-5, 43-27-6. **History.** Original Rule entitled "Change from Inactive to Active" was filed on November 2, 1987; effective November 22, 1987. **Amended:** F. Jun. 10, 1994; eff. Jun. 30, 1994. **Amended:** F. Jun. 10, 1994; eff. Jun. 30, 1994. **Amended:** F. Feb. 17, 1999; eff. Mar. 9, 1999.

# **CHAPTER 393-13**

## **CONTINUING EDUCATION**

### **TABLE OF CONTENTS**

#### **393-13-.01 Requirements**

#### **393-13-.02 Sources**

#### **393-13-.03 Documents**

#### **393-13-.04 Certificate of Attendance**

#### **393-13-.05 Publicizing Activities**

#### **393-13-.01 Requirements.**

(1) Forty clock hours of continuing education are required biennially to renew a license.

(2) A minimum of six of the 40 hours shall be on residents' rights and/or in health care professional ethics. These hours may not be earned through independent study. The main focus must be on standards of professional conduct, professional responsibility, malpractice and on the recognition of ethical dilemmas. Hours concerned exclusively with legislative issues will not be acceptable. If a licensee acquires more than six hours in residents' rights and/or ethics, the excess hours may be used toward the 34-hour requirement listed below.

(3) The remaining 34 clock hours shall be in any or all of the following health care subject areas, descriptions of which will be provided by the Board upon request:

(a) Resident;

(b) Gerontology and Special Populations (See definitions in 393-4-.01(14);

(c) Personnel Management;

(d) Financial Management;

(e) Marketing and Public Relations;

(f) Environmental Management;

(g) Regulatory Management;

(h) Organizational Management.

(4) A maximum of six clock hours may be in independent study.

(5) No more than 20 clock hours may be from any one course, workshop or presentation. However, this limit does not apply to professional conferences which offer multiple presentations.

(6) The continuing education requirement for the first renewal of a license which was issued in even numbered years, shall be 20 hours in any combination of the categories set out above and licensees obtaining licensure in odd numbered years shall not be required to obtain any continuing education hours prior to first renewal cycle. Hours may have been earned prior to licensure during the biennium. The passing of the national examination at any time during the biennium shall be equal to 20 hours of continuing education.

(7) Providers who measure continuing education activities in "Continuing Education Units" (CEUs) shall define one CEU as 10 clock hours of continuing education.

Authority O.C.G.A. Secs. 43-1-25, 43-27-4 43-27-5, 43-27-6. **History.** Original Rule entitled "Requirements" adopted. F. Apr. 27, 1990; eff. May 17, 1990. **Amended:** F. Jul. 30, 1992; eff. Aug. 19, 1992. **Amended:** F. Feb. 26, 1993; eff. Mar. 18, 1993. **Amended:** F. Mar. 9, 1994; eff. Mar. 29, 1994. **Amended:** F. Jun. 10, 1994; eff. Jun. 30, 1994. **Amended:** F. Sept. 25, 1995; eff. Oct. 15, 1995. **Amended:** Oct. 20, 1995; eff. Nov. 9, 1995. **Amended:** F. Aug. 21, 1996; eff. Sept. 11, 1996. **Amended:** F. Jan. 9, 1997; eff. Jan. 29, 1997. **Repealed:** New Rule of same title adopted. F. Jan. 6, 2004; eff. Jan 26, 2004.

### **393-13-.02 Sources.**

(1) Continuing education hours may be obtained by participation in activities sponsored, co-sponsored or approved by any of the below listed sources. The licensee's certificate of attendance must document the number of clock hours of educational content in each activity.

(a) Professional or trade associations in long-term care. The association shall certify the number of clock hours of educational content in each activity; and

(b) Educational institutions accredited by a regional body recognized by the Council on Post Secondary Accreditation. The educational institution shall certify the number of clock hours of educational content in each activity. One semester hour of course credit shall be equivalent to 15 clock hours of continuing education, and one academic quarter hour of course credit shall be equivalent to 10 clock hours of continuing education. See limitation set out in Rule 393-13-.01(4)(c) above.

(c) Nursing home administrator licensing boards. The Board or Board's approved sponsor shall certify the number of clock hours of educational content in each activity; and

(d) National Continuing Education Review Services (N.C.E.R.S.) of the National Association of Boards of Nursing Home Administrators (NAB). Continuing education hours may be obtained by participating in programs approved by N.C.E.R.S.; and

(e) Government Agencies, School Systems and Hospitals. Continuing education hours may be obtained by participating in-service training, courses or workshops sponsored by federal, state or local government agencies, public school systems and licensed hospitals. The provider shall certify the number of clock hours of educational content in each activity; and

(f) Board-Approved Providers.

1. Continuing education hours may be obtained by participating in activities sponsored by Board-Approved Providers, so long as the provider was approved at the time the program was offered. Board-Approved Providers may only offer programs in the topic areas for which they have been approved. The provider shall certify the number of clock hours of educational content in each continuing education activity.

2. In order to qualify for initial Board approval, to renew, Board approval or to qualify for approval in additional topic areas, a provider must submit to the Board:

(i) a Nursing Home Administrators Board Approved Continuing Educational Provider Application and fee. (See Fee Schedule);

(ii) a description of the topic areas in which the provider plans to sponsor continuing education activities;

(iii) the names of all instructors currently offering continuing education activities, a description of the topic areas in which each instructor is qualified to teach along with a vita or other evidence demonstrating that each instructor is qualified in the identified topic area; and

(iv) program outlines, including instructors, objectives, schedules and instructional material, for two continuing education activities the provider has presented or plans to present.

3. Board-Approved Provider status shall expire September 30 of the odd numbered year following approval and may be renewed by submitting an application and fee to the Board. The Board retains the right to monitor continuing education programs sponsored by Board-Approved Providers and will withdraw approval from providers who do not maintain the standards demonstrated in their application. Board-approved Providers shall notify the Board in writing of a change of address or of a decision to withdraw from Board-Approved Provider status; or

(g) Independent Study. A maximum of six continuing education hours may be obtained by engaging in any of the following independent study activities as long as they are in the content areas set out in Rule 393-13-.01(4)(a) above: teaching a course, presenting a lecture, or conducting a workshop for the first time; listening to audio tapes; viewing video tapes; reading, editing or writing professional books or articles; and conducting professional research. The licensee shall attest to the number of clock hours completed, the type of activity, the subject material covered, and the dates involved.

Authority O.C.G.A. Secs. 43-1-25, 43-27-4, 43-27-5. **History.** Original Rule entitled "Sources" adopted. F. Apr. 27, 1990; eff. May 17, 1990. **Amended:** F. Mar. 9, 1994; eff. Mar. 29, 1994. **Amended:** F. Sept. 17, 2004; eff. Oct. 7, 2004.

### **393-13-.03 Documentation. Amended.**

(1) Each licensee shall maintain for three years documentation of the continuing education activities they complete. The Board will not maintain continuing education files for licensees.

(2) Each licensee shall attest to having met the continuing education requirement on their biennial license renewal application. Documentation of these activities should be retained by the licensee and not sent to the Board unless requested by the Board for audit.

(3) The Board shall randomly audit continuing education documentation maintained by licensees.

(4) The Board may request an applicant for license renewal to document the continuing education activities described on his/her application for renewal. Except for independent study, such documents must be in the form of a certificate of attendance or transcript, which includes a description of the subject material covered and the dates and number of hours involved.

(5) In the event a licensee fails to provide the Board with documentation that 40 clock hours have been obtained, the licensee will be subject to disciplinary action.

(6) In the event the Board determines that any or all of the clock hours which the licensee obtained failed to meet the subject area requirements set out in the Rules of the Georgia State Board of Nursing Home Administrators, Chapter 393-13-.01 above, the Board shall notify the licensee, in writing, of the failure. The license will then be deemed to have expired. The licensee may correct the deficiency by June 30, following the license expiration date of December 31, of the odd-numbered years. Failure to correct the deficiency within this period shall result in revocation pursuant to the Rules of the Georgia State Board of Nursing Home Administrators, Chapter 393-5.

Authority O.C.G.A. Secs. 43-1-23, 43-1-25, 43-27-4, 43-27-5. **History.** Original Rule entitled "Documentation" adopted. F. Apr. 27, 1990; eff. May 17, 1990. **Amended:** F. Sept. 25, 1995; eff. Oct. 15, 1995. **Amended:** F. Aug. 21, 1996; eff. Sept. 11, 1996. **Amended:** F. Sept. 17, 2004; eff. Oct. 7, 2004.

### **393-13-.04 Certificate of Attendance.**

A sample certificate of attendance may be obtained from the Board.

Authority O.C.G.A. Secs. 43-1-25, 43-27-5. **History.** Original Rule entitled "Certificate of Attendance" adopted. F. Apr. 27, 1990; eff. May 17, 1990.

### **393-13-.05 Publicizing Activities.**

Providers of continuing education activities may obtain printed rosters, gummed labels and computer tapes containing names and addresses of licensees from the Board upon payment of a fee.

Authority O.C.G.A. Secs. 43-1-25, 43-27-5. **History.** Original Rule entitled "Publicizing Activities" adopted. F. Apr. 27, 1990; eff. May 17, 1990.